

EXHIBIT J

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

IN RE: VALSARTAN N-
NITROSODIMETHYLAMINE (NDMA)
CONTAMINATION PRODUCTS
LIABILITY LITIGATION

HON. ROBERT B. KUGLER

Civil No. 19-2875 (RBK/JS)

THIS DOCUMENT RELATES TO: ALL CASES INVOLVING VALSARTAN

CASE MANAGEMENT ORDER #
Stipulated Plaintiff Discovery and
Case Management Schedule

The Court enters the following Order based on the parties' stipulation regarding Plaintiff discovery and the case management schedule in this multidistrict litigation ("MDL"). This Order applies to all cases pending in MDL No. 2875 involving valsartan and to all actions transferred to or directly filed in MDL No. 2875 after the date of this Order involving valsartan. This Order governs this MDL proceeding as set forth below regarding the subject discovery through *Daubert* motions relating to general causation, as well as Plaintiffs' motions on class certification and *Daubert* motions related to those issues. The Court will enter additional, subsequent scheduling orders as to Rule 56 summary judgment motions and other matters as necessary following its rulings on the pending Rule 12(b)(6) motions.

I. BELLWETHER SELECTION PROCESS FOR PERSONAL INJURY

On August 15, 2020 Plaintiffs identified twenty individual representative personal injury Plaintiffs for Defendant Fact Sheet work-up. No later December 15, 2020, Defendants shall identify another twenty representative personal injury Plaintiffs for Defendant Fact Sheet work-up. Together these forty Plaintiffs shall constitute the Bellwether Pool as to which discovery shall proceed and from

which initial personal injury trial cases will be selected.¹

II. PLAINTIFF DISCOVERY

The Parties have worked together successfully to create a framework for exchanging information via Plaintiff and Defendant Fact Sheets, which prioritize certain basic information. The Parties anticipate that the putative class representatives will fully respond to the Rule 34 discovery requests and produce all responsive documents by December 31, 2020, and the below agreed deadlines are contingent upon such timely responses. While it is anticipated that MSP, as assignee of a large number of claims, has already procured such discovery from its assignors, in the unlikely event that MSP claims lack of access to such information, among other remedies, Defendants shall be entitled to seek third party discovery, including subpoenas for documents and depositions, from such assignors. Similarly, while it is anticipated that the economic loss putative consumer class representatives have collected relevant information regarding their TPP plans and their coverage related thereto, in the unlikely event that such putative class representatives claim lack of access to such information, among other remedies, Defendants shall be entitled to seek third party discovery, including subpoenas for documents and depositions, from such TPPs. Additional written discovery may be served for good cause shown.

The Parties are directed to proceed with all above-discussed Plaintiff and putative class representative depositions, including of all class representatives and personal injury Bellwether Plaintiffs, such discovery to occur on parallel tracks, with such depositions commencing on January 15, 2021.

¹ These Plaintiffs may be worked up in addition to the putative class representatives named in the consumer class actions, third-party payor ("TPP") actions, and the medical monitoring actions.

III. CASE MANAGEMENT SCHEDULE

Deadline	General Causation	Class Certification
November 30, 2020	Plaintiffs' disclosure of types of cancer for which they will provide expert reports to proceed to the general causation <i>Daubert</i> hearing in the MDL; Plaintiffs may amend these disclosures upon a showing of good cause. The parties shall meet and confer about the format of these disclosures.	
December 31, 2020		Putative class representatives to fully respond to Defendants' Rule 34 discovery.
January 1, 2021	Plaintiffs' disclosures of disciplines and specializations of general causation experts, and areas of expertise relevant to each expert's general causation expert report. The parties shall meet and confer about the format of these disclosures.	
January 15, 2021	Defendants' disclosures of disciplines and specializations of general causation experts, and areas of expertise relevant to each expert's general causation expert report. The parties shall meet and confer about the format of these disclosures.	Defendants commence depositions of personal injury plaintiffs, putative economic loss consumer class representatives, putative economic loss TPP class representatives, putative medical monitoring class representatives and, to the extent necessary, discovery of documents and depositions of putative economic loss consumer class representatives' TPPs and putative class representative MSP's assignor TPPs.

Deadline	General Causation	Class Certification
March 26 2021		Defendants complete Rule 34 discovery and depositions of putative economic loss consumer class representatives, putative economic loss TPP class representatives, putative medical monitoring class representatives and, to the extent necessary, discovery of documents and depositions of putative economic loss consumer class representatives' TPPs and putative class representative MSP's assignor TPPs.
April 1, 2021	Completion of fact discovery of Defendants on issues related to general causation. Plaintiffs' expert reports on general causation and provision of three (3) dates on which each expert is available for deposition.	
June 1, 2021	Completion of Plaintiffs' expert depositions on general causation. Defendants' expert reports on general causation and provision of three (3) dates on which each expert is available for deposition.	
July 30, 2021	Completion of Defendants' expert depositions on general causation.	
August 30, 2021	<i>Daubert</i> motions on general causation.	Completion of all fact discovery of Plaintiffs and Defendants, including related to class certification. Plaintiffs' class certification motions and expert reports.

Deadline	General Causation	Class Certification
September 30, 2021		Completion of depositions of Plaintiffs' class certification experts.
October 7, 2021	Oppositions to <i>Daubert</i> motions on general causation.	
October 30, 2021		Defendants' Oppositions to Plaintiffs' class certification motions and expert reports. Defendants' <i>Daubert</i> motions directed to Plaintiffs' class certification experts.
November 11, 2021	Replies in support of <i>Daubert</i> motions on general causation.	
November 22, 2021		Completion of depositions of Defendants' class certification experts.
14 days after General Causation <i>Daubert</i> ruling	The Parties will meet and confer and submit final Bellwether Selection Plan to the Court.	

Deadline	General Causation	Class Certification
December 1, 2021		Plaintiffs' replies in support of class certification motions. Plaintiffs' Oppositions to Defendants' <i>Daubert</i> motions directed to Plaintiffs' class certification experts. Plaintiffs' <i>Daubert</i> motions directed to Defendants' class certification experts.
January 17, 2022		Defendants' Oppositions to Plaintiffs' <i>Daubert</i> motions directed to Defendants' class certification experts. Defendants' replies in support of <i>Daubert</i> motions directed to Plaintiffs' class certification experts.
February 15, 2022		Plaintiffs' replies in support of <i>Daubert</i> motions directed to Defendants' class certification experts.

IV. MEET AND CONFER OBLIGATIONS.

Nothing in this Order is intended to limit the ongoing meet and confer obligations of the Parties. The Court directs the Parties to continue to meet and confer as to discovery issues, and to continue to apprise the Court of any issues as soon as they arise.

V. FILING OF DISPOSITIVE MOTIONS.

Nothing in this Order is intended to preclude Defendants from filing any dispositive motion they believe is timely and would efficiently advance this MDL.

VI. AGREED EXTENSION OF DISCOVERY DEADLINES.

Nothing in this Order shall be interpreted to restrict the ability of the parties to stipulate in writing to an extension of discovery deadlines or to move for an extension of discovery deadlines as permitted by the Rules. If any discovery extension would adversely impact non-discovery deadlines in

CASE MANAGEMENT ORDER

this case, the parties must obtain Court approval.

SO ORDERED this __ day of _____, 2020.

Hon. Robert B. Kugler
United States District Judge